

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**ROSS UNIVERSITY SCHOOL OF  
MEDICINE, LTD.,**

**Plaintiff,**

**ORDER**

**-against-**

**09-CV-1410 (KAM)**

**BROOKLYN-QUEENS HEALTH  
CARE, LTD.,**

**Defendant.**  
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In letters dated July 13, 2012, to Judge Matsumoto and the undersigned magistrate judge, counsel for plaintiff Ross University School of Medicine (“plaintiff”) requested permission to cite new authority and advance additional argument in support of plaintiff’s motion for summary judgment. See Letter to Judge Matsumoto (July 13, 2012) (“7/13/12 Pl. Letter #1”), Docket Entry (“DE”) #129; Letter to Judge Mann (July 13, 2012) (“7/13/12 Pl. Letter #2), DE #130.<sup>1</sup> As correctly noted in defendants’ counsel’s responsive correspondence, see Letter to the Honorable Roanne L. Mann (July 16, 2012) (“7/10/12 Def. Letter”), at 1, DE #131, plaintiff’s letters to the Court do in fact include the citation and argument that plaintiff was seeking permission to present. See 7/13/12 Pl. Letter #1 at 1-3 and attachment thereto; 7/13/12 Pl. Letter #2 at 1-2 and attachment thereto. In addition, defendants’ July 16th letter responds on the merits to the arguments advanced by plaintiff in its recent correspondence.

In issuing its Report and Recommendation on the pending dispositive motions, this Court is prepared to consider the new arguments of counsel. Therefore, the Court grants plaintiff’s request to cite new authority and advance additional argument and will deem the record

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<sup>1</sup> By docket entry on July 16, 2012, Judge Matsumoto referred the request to this Court.

expanded to include counsel's correspondence of July 13 and July 16, 2012.<sup>2</sup>

**SO ORDERED.**

**Dated: Brooklyn, New York  
July 30, 2012**

/s/ Roanne L. Mann  
**ROANNE L. MANN**  
**UNITED STATES MAGISTRATE JUDGE**

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<sup>2</sup> Consistent with the "bundling rule" followed by Judge Matsumoto and the undersigned magistrate judge, the Clerk of the Court is respectfully requested to update the filing dates of the pending motions to reflect the date when all papers were fully submitted: July 16, 2012.